

# SENATE BILL No. 205

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-4-3-9.

**Synopsis:** Annexation near a city. Allows a town to annex up to the boundaries of a city without obtaining the city's permission if the city is wholly located outside the boundaries of the county in which the town is located. Updates population parameters to reflect changes in the 2000 decennial census.

**Effective:** July 1, 2002.

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January 7, 2002, read first time and referred to Committee on Governmental and Regulatory Affairs.

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Introduced

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## SENATE BILL No. 205

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 36-4-3-9, AS AMENDED BY P.L.224-2001,  
2       SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2002]: Sec. 9. (a) A town must obtain the consent of both the  
4       metropolitan development commission and the legislative body of a  
5       county having a consolidated city before annexing territory within the  
6       county where a consolidated city is located.

7       (b) This subsection does not apply to the following:

8       (1) A town:

9       (A) located in a county having a population of more than four  
10       hundred thousand (400,000) but less than seven hundred  
11       thousand (700,000); and

12       (B) that has a population of more than twenty-seven thousand  
13       (27,000).

14       (2) A town:

15       (A) located in a county having a population of more than ~~one~~  
16       hundred ~~eight thousand~~ (108,000) but less than ~~one hundred~~  
17       eight thousand nine hundred fifty (108,950); ~~one hundred~~

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IN 205—LS 6790/DI 87+



1 **eighty thousand (180,000) but less than one hundred eighty**  
 2 **two thousand seven hundred ninety (182,790);**

3 (B) having a population of more than ~~twenty-seven thousand~~  
 4 ~~(27,000) but less than twenty-eight thousand (28,000);~~ **thirty**  
 5 **thousand (30,000);** and

6 (C) located in a different county than the city.

7 **Except as provided in subsection (c),** a town must obtain the consent  
 8 of the legislative body of a second or third class city before annexing  
 9 territory within three (3) miles of the corporate boundaries of the city.

10 (c) **This subsection does not apply to a town described in**  
 11 **subsection (b)(1) or (b)(2). A town is not required to obtain the**  
 12 **consent of the legislative body of a second or third class city before**  
 13 **annexing territory within three (3) miles of the corporate**  
 14 **boundaries of the city if the entire corporate boundaries of the city**  
 15 **are located outside the boundaries of the county in which the town**  
 16 **is located.**

17 (d) Each municipality that is known as an included town under  
 18 IC 36-3-1-7 is also considered a town for purposes of this section.

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